UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,268	11/30/2000	Rabindranath Dutta	AUS920000344US1	5226

7590 02/18/2005	EXAMINER
KONRAD RAYNES & VICTOR LLP	LEE, PHILIP C
315 S. BEVERLY DRIVE	

ART UNIT	PAPER NUMBER
2154	

SUITE 210
BEVERLY HILLS, CA 90212

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 December 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-7,9-13,15-19,21-25,27-31 and 33-36* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-7,9-13,15-19,21-25,27-31 and 33-36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

1.	This action is responsive to the amendment and remarks filed on December 27, 2004.

2.	Applicant's remarks for reconsideration of the finality of the rejection of the last Office

action is persuasive and, therefore, the finality of that action is withdrawn. The amendment filed

on December 27, 2004 will be entered and presented for examination.

3.	Claims 1, 3-7, 9-13, 15-19, 21-25, 27-31 and 33-36 are presented for examination and

claims 2, 8, 14, 20, 26 and 32 are cancelled.

4.	The text of those sections of Title 35, U.S. code not included in this office action can be

found in a prior office action.

5.	Claim 36 is objected to because of its dependency on claim 26 (i.e. claim 26 was

cancelled).

Claim Rejections – 35 USC 103

6.	The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

7.   Claims 1, 12-13, 24-25 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Barrett et al, U.S. Patent 5,908,467(hereinafter Barrett) and Barrick, Jr. et al, U.S. Patent

6,625,647 (hereinafter Barrick) in view of Lowe, Doug, Internet Explorer 3 For Windows 95 For

Dummies (hereinafter Lowe).

8.   As per claims 1, 13 and 25, Barrett taught the invention substantially as claimed for

rendering network addresses of files capable of being downloaded over a network on an output

device on an output device, comprising:

        generating a list of network addresses (e.g. hyperlinks corresponding to URLs) (col. 6,

lines 58-60; col. 1, lines 59-65; fig. 5);

        for each listed network address, determining a time to download a page and any

embedded files in the page from the network address over the network in response to

downloading the page and any embedded files from the network address (col. 5, lines 35-67);

        determining an access time indicator for the network addresses based on the determined

times stored with the network addresses, wherein the determined access time indicator is capable

of indicating at least two different access times (e.g. green, yellow, and red) with respect to one

network address (col. 6, lines 9-15, 26-32; col. 7, lines 1-6); and

        rendering the access time indicator when rendering the page identifications on the output

device (fig. 5; col. 6, lines 60-62).

9.   Barrett did not teach storing the determined time for which the time was determined.

Barrick taught a similar method comprising:

        storing each determined time with the network address for which the time was

determined (col. 2, lines 15-17).

10.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Barrett and Barrick because Barrick's teaching

of storing each determined time would increase the user's alertness in Barrett's system by

providing measured actual download times experienced by users and use that data to evaluate

network performance (col. 1, line 64-col. 2, line 7).

11.   Barrett and Barrick did not teach list of network address (e.g. hyperlinks corresponding to

URLs) as a list of previously accessed network address. Lowe taught the list of network address

(e.g. hyperlinks corresponding to URLs) as a list of previously accessed network address (e.g.

URLs in the history list) (pages 48-49 and 324).

12.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Barrett, Barrick and Lowe because Lowe's

teaching of a list of network address as a list of previously accessed network address would

increase the field of use in their system.

13.   As per claims 12, 24 and 36, Barrett, Barrick and Lowe taught the invention substantially

as claimed in claims 1 and 13 above. Barrett, Barrick and Lowe further taught wherein rendering

the access time indicator when rendering the processed network address further comprises:

        accessing a list of selected network addresses (see Lowe, pages 48-49 and 324);

        determining the access time indicator for each of the network addresses in the list of

        selected network addresses based on the stored determined times for each network

        addresses (see Barrick, col. 2, lines 10-18; col. 8, lines 7-17; See Barrett, col. 5, lines 35-

        67); and

        rendering the determined access time indicator with each network address in the list of

        selected network addresses (see Barrett, fig. 5; col. 6, lines 60-62).

14.   Claims 3, 7, 15, 19, 27 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Barrett, Barrick and Lowe in view of "Official Notice".

15.   As per claims 3, 15 and 27, Although Barrett, Barrick and Lowe taught rendering access

time indicator to provide an indication of the access time with the network address (see Barrett,

col. 3, line 60-col. 4, line 4), however, Barrett, Barrick and Lowe did not teach access time

indicator comprising an access time. "Official Notice" is taken for the concept of an access time

indicator comprising an access time is known and accepted in the art.   It would have been

obvious to one having ordinary skill in the art at the time of the invention was made to include an

access time indicator comprising an access time because by doing so it would increase the user's

alertness in Barrett's, Barrick's and Lowe's systems by providing measured actual download

times experienced by users and notify the network performance to the user.

16.   As per claims 7, 19 and 31, Barrett, Barrick and Lowe taught the invention substantially

as claimed in claims 1, 13 and 25 above. Although Barrett, Barrick and Lowe taught wherein the

determined time based on a time to download a hyperlink's Web page (see Barrett, col. 5, lines

35-38), however, Barrett, Barrick and Lowe did not specifically teach the time to download a

hyperlink's Web page include time to render the downloaded page as output on the monitor.

"Official Notice" is taken for the concept of determining the download time wherein the

determined time include the time to render the downloaded page as output on the display monitor

is known and accepted in the art. It would have been obvious to one having ordinary skill in the

art at the time of the invention was made to include the time to render the downloaded page as

output on the display monitor because by doing so it would increase the accuracy of Barrett's,

Barrick's and Lowe's systems by allowing the processing time for displaying the web page on

the monitor to be included in the determined time.

17.   Claims 4-6, 9, 16-18, 21, 28-30 and 33 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Barrett, Barrick and Lowe in view of Barrett et al, U.S. Patent 5,727,129

(hereinafter Barrett et al).

18.   As per claims 4, 16 and 28, Barrett, Barrick and Lowe taught the invention substantially

as claimed in claims 1, 13 and 25 above. Barrett, Barrick and Lowe did not teach altering the

display of the network address on the display monitor. Barrett et al taught wherein the output

device comprises a display monitor, wherein rendering the network address comprises displaying

the network address on a display monitor and wherein rendering the access time indicator

comprises altering the display of the network address on the display monitor (col. 8, lines 49-61;

col. 10, lines 53-64).

19.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Barrett, Barrick, Lowe and Barrett et al because

Barrett et al's teaching of altering the display of the network address would increase the

efficiency of Barrett's, Barrick's and Lowe's systems by providing network addresses to be

display in a ranked order to minimize the time of search.

20.   As per claims 5, 17 and 29, Barrett, Barrick, Lowe and Barrett et al taught the invention

substantially as claimed in claims 4, 16 and 28 above. Barrick further taught wherein the access

time indicator comprises a color in which to display the network address on the display monitor

(col. 8, lines 7-17).

21.   As per claims 6, 18 and 30, Barrett, Barrick and Lowe taught the invention substantially

as claimed in claims 1, 13 and 25 above. Barrett, Barrick and Lowe did not teach a network

address included in the page to display within the displayed page. Barrett et al taught wherein

the output device comprises a display monitor (col. 6, lines 59-61), wherein the file accessed

from the network address comprises a page to display on the display monitor, wherein the

network address to render comprises a network address included in the page to display within the

displayed page (col. 8, lines 49-61; col. 10, lines 19-27).

22.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Barrett, Barrick, Lowe and Barrett et al because

Barrett et al's teaching of a network address included in the page to display within the displayed

page would increase the user's alertness by providing the user a notification of the network

address of the web page being visited.

23.   As per claims 9, 21 and 33, Barrett, Barrick, Lowe and Barrett et al taught the invention

substantially as claimed in claims 6, 18 and 30 above. Barrett and Barrick further taught wherein

generating the list of previously accessed network addresses with access time ratings comprises:

        calculating an expected access time from the stored determined times for each network

        address (see Barrett, col. 5, lines 35-67; see Barrick, col. 2, lines 10-18; col. 8, lines 7-

        17); and

        determining an access time rating from the expected access time, wherein the access time

        indicators are determined for network addresses from the access time ratings for the

        network addresses (see Barrick, col. 8, lines 7-17).

24.   Claims 11, 23 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Barrett, Barrick and Lowe in view of Schneider, U.S. Patent 6,760,746 (hereinafter Schneider).

25.   As per claims 11, 23 and 35, Barrett, Barrick and Lowe taught the invention substantially

as claimed in claims 1, 13 and 25 above. Although Barrett and Barrick taught wherein rendering

the access time indicator when rendering the processed network address comprises:

> determining the access time indicator for each of the determined network addresses in the
>
> set based on the stored determined times for each network address (See Barrett, col. 5,
>
> lines 35-67; see Barrick, col. 8, lines 7-17); and
>
> rendering the determined access time indicator for each network address with the network
>
> address in a list of network addresses (see Barrett, fig. 5; col. 6, lines 60-62), however,
>
> Barrett and Barrick did not teach selecting one of the rendered network addresses
>
> determined from the list of previously accessed network addresses that begin with the
>
> received characters. Schneider taught a system comprising:
>
> receiving characters of a network address a user inputs into an address field displayed on
>
> the output device (col. 7, lines 7-20);
>
> determining a set of network addresses from the list of previously accessed network
>
> addresses that begin with the received characters (col. 7, lines 7-20); and
>
> wherein a user is capable of selecting one of the rendered network addresses to substitute
>
> for the received characters to enter into the address field (col. 7, lines 7-20).

26.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Barrett, Barrick, Lowe and Schneider because

Schneider's teaching of selecting one of the rendered network addresses determined from the list

of previously accessed network addresses that begin with the received characters would increase

the efficiency by providing user with candidates of match URLs based o received characters

without the need for users to complete entry of the fully-resolved URL.

27.   Claims 10, 22 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Barrett, Barrick, Lowe and Barrett et al in view of Killian, U.S. Patent 6,438,592 (hereinafter

Killian).

28.   As per claims 10, 22 and 34, Barrett, Barrick, Lowe and Barrett et al taught the invention

substantially as claimed in claims 6, 18 and 30 above. Barrett, Barrick, Lowe and Barrett et al

did not specifically detailing the web page. Killian taught wherein the page is implemented in a

markup-language including tagged elements, further comprising:

> generating a document object including nodes for the tagged elements (col. 12, lines 54-
>
> 62);
>
> generating a node for each network address included in the page (col. 12, lines 54-62);
>
> and
>
> generating an attribute for each network address node implementing the access time
>
> indicator determined from the network address, wherein the page is rendered from the
>
> document object (See Barrick, col. 8, lines 7-17).

29.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Barrett, Barrick, Lowe, Barrett et al and Killian

because Killian's teaching of the page with tagged element would increase the field of use in

their systems.

30.   Applicant's arguments with respect to claims 1, 3-7, 9-13, 15-19, 21-25, 27-31 and 33-

36, filed 07/21/04, have been fully considered but are not deemed to be persuasive and are moot

in view of the new grounds of rejection.

31.   In the remark applicant argued that

         (1)   cited prior art fail to teach the access time indicator is rendered by altering

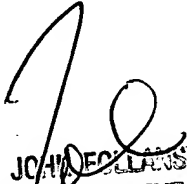   the display of the network address

32.   In response to point (1), Barrett et al's taught that the display of the network addresses is

altered in a ranked order (col. 8, lines 49-60).

33.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action

is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply

is filed within TWO MONTHS of the mailing date of this final action and the advisory action is

not mailed until after the end of the THREE MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than SIX

MONTHS from the mailing date of this final action. Any inquiry concerning this

communication or earlier communications form the examiner should be directed to Philip Lee

whose telephone number is (571) 272-3967. Any inquiry of a general nature or relating to the

status of this application should be directed to the Group receptionist whose telephone number is

(703) 305-9600.

Philip Lee

JOHN E. GLASBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100